IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

UNITED STATES OF AMERICA,

VS.   **CRIMINAL ACTION NO. 1:05CR124-P-D**

LORA R. RATLIFF,   **DEFENDANT.**

ORDER OF CONTINUANCE

This matter comes before the court upon Defendant Lora R. Ratliff's Third Motion for Continuance [49]. After due consideration of the motion, the court finds as follows, to-wit:

Trial is currently set for January 26, 2009. Defense counsel requests a continuance to allow additional time to properly prepare for trial given his unusually heavy court calendar.

The Government has no objection to the continuance.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. section 3161(h)(8)(A), the period of delay from January 26, 2009 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to afford the defendant's counsel more time to adequately prepare for his client's defense. As such, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial. Trial should also be continued pursuant to § 3161(h)(7) because the period of delay is reasonable and the trial has neither run as to co-Defendant Patterson, nor has a severance been granted.

IT IS THEREFORE ORDERED AND ADJUDGED that:

(1) Defendant Lora R. Ratliff's Third Motion for Continuance [49] is **GRANTED**;

(2) Trial of this matter is continued until Monday, March 30, 2009 at 9:00 a.m. in the United

States Courthouse in Greenville, Mississippi;

(3) The delay from January 26, 2009 to March 30, 2009 is excluded from Speedy Trial Act considerations as set out above;

(4) The deadline for filing pretrial motions is March 9, 2009; and

(5) The deadline for submitting a plea agreement is March 16, 2009.

SO ORDERED this the 13th day of January, A.D., 2009.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE